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Dated: August 7, 2002 Signature:

*Shawn P. Foley*  
(Shawn P. Foley)

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Docket No.: OCIRS 3.3-072  
(PATENT)

1638 #7  
\$  
8/27/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tumer et al.

Application No.: 09/869,176

Group Art Unit: 1638

Filed: June 26, 2001

Examiner: A. Mehta

For: VIRUS-RESISTANT TRANSGENIC PLANTS  
EXPRESSING L3

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

This is in response to the Office Communication mailed June 11, 2002. A Petition for an extension of one month in which to respond, and which authorizes the Director to charge the requisite fee and any other fees that may be due and owing to Deposit Account No. 12-1095, is attached hereto and incorporated herein by reference.

Applicants hereby elect Group I, claims 1-20, 22 and 28-31. This election is hereby made with traverse. In this regard, Applicants respectfully submit that the "exogenous nucleic acid encoding an L3 protein" is a special technical feature that is also common to claims

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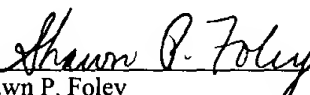
Docket No.: OCIRS 3.3-072

21-23, 25, 26 and 28-31 (these claims are directed to nucleic acids encoding specific kinds of L3 proteins). Accordingly, Applicants respectfully request modification of the restriction requirement to include these claims in Group I, and have them examined on the merits as well.

The Examiner is cordially invited to contact the undersigned if she has any questions.

Dated: August 7, 2002

Respectfully submitted,

By   
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